

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF MINNESOTA**

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MULTIFEEDER TECHNOLOGY, INC.,  
A MINNESOTA CORPORATION,

CIVIL No. 09-1090 (JRT/TNL)

PLAINTIFF,

v.

BRITISH CONFECTIONERY COMPANY  
LIMITED, a duly incorporated under the  
laws of Province of Newfoundland,  
DOMINO AMJET, INC.

DEFENDANTS,

AND

**ORDER**

BRITISH CONFECTIONERY COMPANY  
LIMITED a duly incorporated under the laws  
of Province of Newfoundland,  
COUNTER CLAIMANT,

v.

MULTIFEEDER TECHNOLOGY, INC.  
a Minnesota corporation,

COUNTERCLAIM DEFENDANT/THIRD-  
PARTY PLAINTIFF,

v.

DOMINO PRINTING SOLUTIONS, INC.,  
THIRD-PARTY DEFENDANT.

William Christopher Penwell and Rachel L. Osband, **SIEGEL BRILL GREUPNER DUFFY & FOSTER, PA**, 100 Washington Avenue South, Suite 1300, Minneapolis, MN 55401; and Kristin L. Kingsbury and Gerald S. Duffy, **MONROE MOXNESS BERG, PA**, 8000 Norman Center Drive, Suite 1000, Minneapolis, MN 55437, for Multifeeder Technology, Inc.;

R. Christopher Sur and Paul B. Civello, **MASLON EDELMAN BORMAN & BRAND, LLP**, 90 South 7th Street, Suite 3300, Minneapolis, MN 55402, for British Confectionery Company Limited;

Cynthia A. Moyer and Sarah C. S. McLaren, **FREDRIKSON & BYRON, PA**, 200 South 6th Street, Suite 4000, Minneapolis, MN 55402-1425, for Domino AmJet, Inc.; and

Emily E. Duke, Cynthia A. Moyer and Sarah C. S. McLaren, **FREDRIKSON & BYRON, PA**, 200 South 6th Street, Suite 4000, Minneapolis, MN 55402-1425, for Domino Printing Solutions.

This matter is before the Court, United States Magistrate Judge Tony N. Leung, on the parties' letter, sent to chambers via E-mail on January 16, 2012. The parties' letter seeks guidance regarding the expert deposition of Mark Lanterman as designated representative for Computer Forensic Services, Inc. Mr. Lanterman informed the parties that he required 30 to 50 hours to prepare for the deposition, and requested \$25,000 prior to beginning his preparation time. In this Court's view, some guidance on this issue is necessary, and therefore, **IT IS HEREBY ORDERED** as follows:

1. Mark Lanterman and Computer Forensic Services, Inc. shall be limited to twelve thousand dollars (\$12,000.00) for reasonable preparation time for the noticed deposition. Mark Lanterman and Computer Forensic Services, Inc. shall calibrate the preparation for the deposition to this parameter.

2. Within five days of the date of this Order, Multifeeder Technology, Inc. and British Confectionery Company Limited shall each pay six thousand dollars (\$6,000.00) to Computer Forensic Services, Inc. for the reasonable preparation time for the deposition.<sup>1</sup>
3. Within five days following the deposition, Mark Lanterman and Computer Forensic Services, Inc. shall provide the Court with a notarized affidavit, that will be filed by the Court, that sets forth as follows:
  - a. A detailed description of work performed pursuant to the Court's previous and present orders in this matter;
  - b. A detailed accounting—including hours worked and expenses incurred—for all outstanding invoices for work performed pursuant to the Court's previous and present orders in this matter; and
  - c. Copies of all invoices sent to the parties in this matter.

The Affidavit shall be sent via U.S. Mail to: **The Honorable Tony N. Leung, United States Magistrate Judge, U.S. District Court for the District of Minnesota, 316 North Robert Street, Suite 342, St. Paul MN 55101.**

4. Plaintiff Multifeeder Technology, Inc. shall send a copy of this Order by mail and E-mail to Mark Lanterman and Computer Forensic Services, and shall file an affidavit of service memorializing compliance with this Order.

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<sup>1</sup> The Court will determine at a later date the final payment allocation of such \$12,000 total among the parties to this litigation.

5. Nothing in this order shall be interpreted to deprive any party any rights and remedies available under Fed. R. Civ. P. 45.
6. All prior consistent orders remain in full force and effect.
7. Failure to comply with any provision of this Order or any other prior consistent Order shall subject the non-complying party, non-complying counsel and/or the party such counsel represents to any and all appropriate remedies, sanctions and the like, including without limitation: certification to the district court under 28 U.S.C. § 636(e)(6) for contempt proceedings; assessment of costs, fines and attorneys' fees and disbursements; waiver of rights to object; exclusion or limitation of witnesses, testimony, exhibits and other evidence; striking of pleadings; complete or partial dismissal with prejudice; entry of whole or partial default judgment; and/or any other relief that this Court may from time to time deem appropriate.

Dated: January 24, 2012

s/ Tony N. Leung  
Magistrate Judge Tony N. Leung  
United States District Court  
CIVIL NO. 09-1090 (JRT/TNL)